

FLOOR SCHEDULE FOR WEDNESDAY, JULY 29, 2015

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
10:00 a.m.: Morning Hour 12:00 p.m.: Legislative Business Fifteen "One Minutes"	1:30 – 2:00 p.m.	6:00 – 7:00 p.m.

H.Res. 388 – Rule providing for consideration of both H.R. 1994 – VA Accountability Act of 2015 (Rep. Miller (FL) – Veterans’ Affairs) and H.R. 3236 – Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Rep. Shuster – Transportation and Infrastructure/Ways and Means/Veterans’ Affairs) (One hour of debate). The Rules Committee has recommended one Rule which would provide for consideration of two bills.

For H.R. 1994, the Rules Committee has recommended a structured Rule that provides for one hour of general debate equally divided and controlled by the Chair and Ranking Member of the Committee on Veterans’ Affairs. The Rule allows for 1 amendment, debatable for 10 minutes equally divided between the offeror and an opponent, and 1 amendment in the nature of a substitute, debatable for 20 minutes, equally divided between the offeror and an opponent. The Rule allows one motion to recommit, with or without instructions, and waives all points of order against the legislation.

For H.R. 3236, the Rules Committee has recommended a closed Rule that provides for one hour of general debate, with 20 minutes equally divided and controlled by the Chair and Ranking Member of the Committee on Transportation and Infrastructure, 20 minutes equally divided and controlled by the Chair and Ranking Member of the Committee on Ways and Means, and 20 minutes controlled by the Chair and Ranking Member of the Committee on Veterans’ Affairs. The Rule allows one motion to recommit, and waives all points of order against the legislation.

The Rules Committee rejected a motion by Ms. Slaughter of New York to make in order an amendment offered by Rep. Fincher which would reform and reauthorize the Export-Import Bank of the United States through September 30, 2019, by a vote of 6-7.

The Rules Committee also rejected a motion by Mr. McGovern of Massachusetts to consider both H.R. 1994 and H.R. 3236 under open Rules. **Members are urged to VOTE NO.**

H.R. 1994 – VA Accountability Act of 2015 (Rep. Miller (FL) – Veterans’ Affairs) (Subject to a Rule) (One hour of debate). This bill would give the Secretary of Veterans’ Affairs broad authority to fire or demote Veterans’ Affairs employees. H.R. 1994 states that employee misconduct, defined in such broad terms as: neglect of duty, malfeasance, or failure to accept a directed reassignment; can result in termination of employment or demotion.

H.R. 1994 states that employees would have seven days to appeal a termination or demotion to the Merit System Protection Board (MSPB) who would then have forty-five days to make a decision. Failure by the MFSP to make a decision at the end of the forty-five day deadline would result in the termination or demotion becoming final. Once the termination is finalized by the MSPB, the decision is not subject to appeal. During the entire appeals process, the employee cannot be put on any sort of paid leave. Additionally H.R. 1994 would extend probationary periods for employees by six months, from twelve to eighteen months, and gives the VA the authority to extend the probationary period even longer.

H.R. 1994 weakens employee protections, including the than 100,000 Veteran employees at the Department of Veterans’ Affairs (VA), by taking away fundamental due process civil service protections. Granting broad power to management at the VA allows for possibility political influence, corruption, discrimination, retaliation, and severe mismanagement to take place. Under current law, VA employees, including whistleblowers, are afforded due process rights before any serious action, such as termination or demotion, can take place.

H.R. 1994 would also eliminate due process rights for whistleblowers who have been key to drawing attention to any manipulation or cover-ups taking place within the VA. Republicans are bringing H.R. 1994 to the Floor under the guise of bringing “accountability” to the VA, while weakening protections for those who have already been seeking and demanding accountability and oversight.

Lastly, the White House has issued a SAP stating that the President’s senior advisors would recommend that he veto this bill.

The Rule makes in order 1 amendment, debatable for 10 minutes, equally divided between the offeror and an opponent and 1 amendment in the nature of a substitute, debatable for 20 minutes, equally divided between the offeror and an opponent. The amendments are:

Reps. Benishek/Sinema Amendment. Reforms and improves the VA Inspector General's ability to report on problems and problem employees at the VA. Requires the IG to release reports including employee misconduct to the public and explain what changes the VA has requested, requires the IG to identify a manager responsible for fixing an identified problem, makes it easier to fire an identified employee, and targets the bonuses of employees that fail to solve problems.

Rep. Takano Amendment in the Nature of a Substitute. Provides VA Secretary the authority to immediately suspend without pay any employee whose performance or misconduct is a threat to health or safety; ensures back pay for whistleblowers unfairly terminated, and caps the payment of administrative leave to 14 days. Makes effective date of back pay provision October 1, 2015.

Bill Text for H.R. 1994:

[PDF Version](#)

Background for H.R. 1994:

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

H.R. 3236 – Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Rep. Shuster – Transportation and Infrastructure/Ways and Means/Veterans’ Affairs) (One hour of debate). This bill would reauthorize federal-aid highway and transit programs through October 29, 2015. Unless Congress acts, the Department of Transportation (DOT) will be unable to reimburse states for surface transportation projects as early as August 1st and will be unable to fund new obligations to repair America’s crumbling roads and fix our Nation’s vast infrastructure problems.

The extension is paid for with \$8 billion in offsets over ten years. \$3.16 billion comes through extending the current treatment of Transportation Security Administration (TSA) fee collections as mandatory savings for two additional years (FY2024 and FY2025). If no action is taken, these TSA fees will be subject to appropriations action, and therefore scored as discretionary, beginning in FY2024. Additionally, H.R. 3236 cuts excise fuel taxes on liquefied natural gas (LNG) and liquid propane used as highway motor fuels. The bill taxes LNG and propane on an energy-equivalent basis relative to diesel and gasoline, which would lower the taxes paid by these fuels by about \$90 million. Lastly, H.R. 3236 includes approximately \$5 billion in tax changes to improve compliance, including additional information reporting requirements for mortgages and estates, changes to other information return due dates, clarifying an IRS collection authority, and allowing excess pension funds to be used for retiree health care.

H.R. 3236 will also address the \$3.348 billion budget shortfall in the Department of Veterans’ Affairs. The measure would allow for the authorization of the \$3.348 billion needed to address this shortfall to come from the “Choice Program” which is an emergency fund set up by Congress in 2014 to help ensure that Veterans can see a doctor in a timely manner. This money is needed to ensure those who have served our Nation get the care they have earned and deserved.

House Republicans are bringing H.R. 3236 to the Floor in an attempt to put a band-aid on another Republican manufactured crisis, while leaving town one day early for the August district work period. Instead of staying in town and putting much needed legislation on the Floor, such as reauthorization of the Export-Import Bank, House Republicans have chosen to turn their back on 164,000 Americans whose jobs are sustained by the Export-Import Bank. Reauthorization of the Ex-Im Bank will continue to strengthen our nation’s economic growth. The Export-Import Bank supports tens of thousands of small and medium-sized businesses throughout the country; in fact, nearly 90% of Ex-Im’s transactions are with small businesses. House Republicans have chosen to unilaterally disarm American businesses and allow countries like Russia and China to fill in the gaps that have formed due to the expiration of the Ex-Im Bank.

Bill Text for H.R. 3236:

[PDF Version](#)

Postponed Suspension (1 bill)

1. [H.R. 1300](#) – First Responder Anthrax Preparedness Act, as amended (Rep. King (NY) – Homeland Security)

The Daily Quote

"Not renewing Ex-Im's charter would be 'surrendering a part of your ability to compete in the world,' Representative Frank Lucas, an Oklahoma Republican, said. 'At some point, we will miss out on some business opportunity of such magnitude that it will catch the attention of the public, and we will respond.'"

- Bloomberg, 7/28/2015